

CLOSED

**U.S. District Court  
District of Delaware (Wilmington)  
CIVIL DOCKET FOR CASE #: 1:99-cv-00392-GMS  
Internal Use Only**

Investenergy, SA v. Appian Advisors LLC, et al  
Assigned to: Honorable Gregory M. Sleet  
Demand: \$0  
Cause: 09:1 U.S. Arbitration Act

Date Filed: 06/21/1999  
Jury Demand: None  
Nature of Suit: 890 Other Statutory  
Actions  
Jurisdiction: Federal Question

**Plaintiff**

**Investenergy, SA**

represented by **Neal C. Belgam**  
Blank Rome LLP  
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*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

V.

**Defendant**

**The Appian Advisors LLC**

represented by **Dominick T. Gattuso**  
Bouchard, Margules & Friedlander,  
P.A.  
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Suite 1400  
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**Kevin G. Abrams**  
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1521 Concord Pike, #303  
Wilmington, DE 19803  
(302) 778-1000  
Fax: (302) 778-1001  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Defendant**

**The Appian Group Inc.**

represented by **Dominick T. Gattuso**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**James T. Laster**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Kevin G. Abrams**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**ThirdParty Plaintiff**

**The Appian Advisors LLC**

represented by **Dominick T. Gattuso**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**James T. Laster**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Kevin G. Abrams**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**ThirdParty Plaintiff**

**The Appian Group Inc.**

represented by **Dominick T. Gattuso**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**James T. Laster**

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*LEAD ATTORNEY*  
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**Kevin G. Abrams**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

V.

**ThirdParty Defendant**

**Synergo Suisse CZ**

**ThirdParty Defendant**

**Newton Financial Management  
Group**

**ThirdParty Defendant**

**Jacques De Groote**

**Counter Claimant**

**The Appian Advisors LLC**

represented by **Dominick T. Gattuso**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**James T. Laster**  
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*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Kevin G. Abrams**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Counter Claimant**

**The Appian Group Inc.**

represented by **Dominick T. Gattuso**  
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*LEAD ATTORNEY*  
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**James T. Laster**  
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*LEAD ATTORNEY*  
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**Kevin G. Abrams**

(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

V.

**Counter Defendant**

**Investenergy, SA**

represented by **Neal C. Belgam**  
 (See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

<b>Date Filed</b>	<b>#</b>	<b>Docket Text</b>
06/21/1999	1	COMPLAINT filed; Mag consent notice to pltf. FILING FEE \$ 150.00 RECEIPT # 126282 (els) Modified on 11/01/1999 (Entered: 06/21/1999)
06/21/1999		SUMMONS(ES) issued for Appian Advisors LLC, Appian Group Inc. (els) Modified on 11/01/1999 (Entered: 06/21/1999)
06/21/1999	2	MOTION by Investenergy, SA for Temporary Restraining Order Answer Brief due 7/6/99 re: [2-1] motion Exit Duty Judge SLR) (els) Modified on 11/01/1999 (Entered: 06/21/1999)
06/21/1999	3	MEMORANDUM by Investenergy, SA in support of [2-1] motion for Temporary Restraining Order (SEALED) (Exit Duty Judge SLR) (els) Modified on 07/16/1999 (Entered: 06/21/1999)
06/21/1999	4	MOTION by Investenergy, SA with Proposed Order for Leave to File the Exhibits to Pltf's Complaint for Injunctive Relief , and Briefs in Support of the Relief Requested Therein Under Seal Answer Brief due 7/6/99 re: [4-1] motion, Answer Brief due 7/6/99 re: [4-2] motion (Exit Duty Judge SLR) (els) Modified on 11/01/1999 (Entered: 06/21/1999)
06/21/1999	5	Attachments A & B to Pltf's Motion for Leave to File the Exhibits to Pltf's Complaint for Injunctive Relief and Brief in support of the Relief Requested Therein Under Seal Filed by Investenergy, SA Appending (SEALED)(Exit Duty Judge SLR) (els) Modified on 06/22/1999 (Entered: 06/21/1999)
06/21/1999	6	MOTION by Investenergy, SA with Proposed Order for Pamela J. Marple to Appear Pro Hac Vice re: [6-1] motion (Exit Duty Judge SLR) [Sealed] (els) Modified on 07/16/1999 (Entered: 06/21/1999)
06/21/1999	7	MOTION by Investenergy, SA with Proposed Order to Expedite Scheduling Order Answer Brief due 7/6/99 re: [7-1] motion (Exit Duty Judge SLR) [Sealed] (els) Modified on 07/16/1999 (Entered: 06/21/1999)
06/25/1999	8	RETURN OF SERVICE executed as to Appian Advisors LLC 6/22/99 Answer due on 7/12/99 for Appian Advisors LLC [Sealed] (dab) Modified on 07/16/1999 (Entered: 06/25/1999)

06/25/1999	9	RETURN OF SERVICE executed as to Appian Group Inc. 6/22/99 Answer due on 7/12/99 for Appian Group Inc. [Sealed] (dab) Modified on 07/16/1999 (Entered: 06/25/1999)
06/30/1999	10	CASE assigned to Judge Gregory M. Sleet . Notice to all parties. (ntl) Modified on 07/16/1999 (Entered: 06/30/1999)
07/02/1999	11	Letter from counsel for pltf. regarding petition for preliminary injunction [Sealed] (gp) Modified on 07/16/1999 (Entered: 07/09/1999)
07/12/1999	12	THIRD-PARTY COMPLAINT by Appian Advisors LLC, Appian Group Inc. against Synergo Suisse CZ, Newton Financial, Jacques De Groote [Sealed] (gp) Modified on 07/16/1999 (Entered: 07/13/1999)
07/12/1999	13	ANSWER to complaint and COUNTERCLAIM by Appian Advisors LLC, Appian Group Inc. (Attorney Kevin G. Abrams, James T. Laster, Dominick T. Gattuso) against Investenergy, SA [Sealed] (gp) Modified on 07/16/1999 (Entered: 07/13/1999)
07/12/1999		**Added for Appian Advisors LLC, Appian Group Inc. attorney Kevin G. Abrams, James T. Laster, Dominick T. Gattuso (gp) (Entered: 07/13/1999)
07/12/1999		Third Party SUMMONS(ES) issued for Synergo Suisse CZ, Newton Financial, Jacques De Groote copies to: cnsl. (gp) (Entered: 07/13/1999)
07/13/1999		In-chambers conference held (rpt.H.Alford) counsel for defts. agreed that documents filed on 7/12/99 DI 12 & 13 be placed under seal, the parties agreed that they would notify the Court if they would enter the Standstill Agreement as a Order of Court; hearing scheduled for 10:00 07/23/99 (gp) (Entered: 07/13/1999)
07/13/1999	14	ORDER granting [4-1] motion for Leave to File the Exhibits to Pltf's Complaint for Injunctive Relief Under Seal ( signed by Judge Gregory M. Sleet ) copies to: cnsl. [Sealed] (gp) Modified on 07/16/1999 (Entered: 07/13/1999)
07/13/1999		Deadline updated; Motion Hearing scheduled for 10:00 fri. 07/23/99 (gp) Modified on 07/16/1999 (Entered: 07/13/1999)
07/13/1999	15	RETURN OF SERVICE executed as to Newton Financial 7/13/99 Answer due on 8/2/99 for Newton Financial (gp) Modified on 11/01/1999 (Entered: 07/14/1999)
07/13/1999	16	RETURN OF SERVICE executed as to Synergo Suisse CZ 7/13/99 Answer due on 8/2/99 for Synergo Suisse CZ (gp) Modified on 11/01/1999 (Entered: 07/14/1999)
07/13/1999	17	RETURN OF SERVICE executed as to Jacques De Groote 7/13/99 Answer due on 8/2/99 for Jacques De Groote (gp) Modified on 11/01/1999 (Entered: 07/14/1999)
07/13/1999		So Ordered granting [6-1] motion for Pamela J. Marple to Appear Pro Hac Vice ( signed by Judge Gregory M. Sleet ) Notice to all parties. (gp)

		(Entered: 02/04/2000)
07/13/1999		**Terminated document (gp) (Entered: 02/04/2000)
07/14/1999	18	Letter from counsel for pltf. requesting that the court enter the Standstill Agreement as an Order of Court (gp) Modified on 11/01/1999 (Entered: 07/15/1999)
07/15/1999	19	Letter from counsel for defts. in opposition to the request of pltfs. to enter the Standstill Agreement into an order of court [Sealed] (gp) Modified on 07/16/1999 (Entered: 07/15/1999)
07/15/1999	20	Letter from counsel for pltf. in response to opposition of deft. regarding Standstill Agreement [Sealed] (gp) Modified on 07/16/1999 (Entered: 07/16/1999)
07/15/1999	21	ORDER Granting Motion of pltf. to extend Standstill Agreement; extending agreement until 5:00 p.m.Fri., 07/23/99; all filings in this matter be made under seal; the agreement remain under seal and revising paragraph 5 of the agreement to indicate that a hearing has been scheduled for 10:00 07/23/99 ( signed by Judge Gregory M. Sleet ) copies to: cnsl. (gp) Modified on 07/16/1999 (Entered: 07/16/1999)
07/16/1999	22	TRANSCRIPT filed for dates of 07/13/99 (gp) (Entered: 07/19/1999)
07/20/1999		Deadline updated; Motion Hearing rescheduled to 07/28/99 at 9:30 (gp) (Entered: 07/20/1999)
07/21/1999	23	ORDER extending Standstill agreement until 07/28/99 5:00 pm. see order for further details(signed by Judge Gregory M. Sleet ) copies to: cnsl. (gp) Modified on 11/01/1999 (Entered: 07/22/1999)
07/21/1999	24	AFFIDAVIT from defts. of Non-Residence [Sealed] (gp) Modified on 07/22/1999 (Entered: 07/22/1999)
07/21/1999	25	MOTION by Investenergy, SA to place defts. third-party complaint and answer under Seal re: [25-1] motion (gp) (Entered: 07/22/1999)
07/21/1999		**Terminated document (DI 25/motion to seal) see chamber conf. on 07/13/99) (gp) Modified on 07/22/1999 (Entered: 07/22/1999)
07/21/1999	26	SEALED Declaration by pltfs. of Abbe David Lowell (gp) Modified on 8/4/2006 (rpg, ). (Entered: 07/22/1999)
07/22/1999	27	MOTION by Appian Advisors LLC, Appian Group Inc. for Robert Clifton Burns to Appear Pro Hac Vice [Sealed] re: [27-1] motion (gp) (Entered: 07/22/1999)
07/22/1999		So Ordered granting [27-1] motion for Robert Clifton Burns to Appear Pro Hac Vice ( signed by Judge Gregory M. Sleet ) Notice to all parties. (gp) (Entered: 07/22/1999)
07/27/1999	28	AFFIDAVIT by Appian Advisors LLC, Appian Group Inc. Re: non-residence [Sealed] (gp) (Entered: 07/27/1999)

07/29/1999	29	AFFIDAVIT by Appian Advisors LLC, Appian Group Inc. of non residence [Sealed] (gp) Modified on 11/01/1999 (Entered: 07/29/1999)
07/29/1999	30	Letter from counsel regarding status of negotiations towards settlement and requesting extension on current order and stay of litigation (gp) (Entered: 07/29/1999)
07/29/1999	31	ORDER that the Court's Order of 07/21/99 extending the July 15, 1999 order which incorporated the terms of the parties' Standstill Agreement is hereby extended until the parties submit papers to dismiss the litigation further that all deadlines for filing additional pleadings in this case including answers and motions to dismiss, are suspended (signed by Judge Gregory M. Sleet ) copies to: cnsl. (gp) (Entered: 07/29/1999)
07/29/1999		**Terminated deadlines (gp) (Entered: 02/04/2000)
08/06/1999	32	MOTION by Investenergy, SA for Abbe David Lowell` to Appear Pro Hac Vice re: [32-1] motion [Sealed] (gp) (Entered: 08/09/1999)
08/09/1999		So Ordered granting [32-1] motion for Abbe David Lowell to Appear Pro Hac Vice ( signed by Judge Gregory M. Sleet ) Notice to all parties. (gp) (Entered: 08/09/1999)
08/11/1999		**Terminated deadlines (gp) (Entered: 08/11/1999)
08/21/2000	33	Letter from counsel regarding status of case (gp) (Entered: 08/29/2000)
02/02/2001	34	ORDER denying without prejudice, as moot[2-1] motion for Temporary Restraining Order denying without prejudice as moot[7-1] motion to Expedite Scheduling Order ( signed by Judge Gregory M. Sleet ) copies to: cnsl. (gp) (Entered: 02/02/2001)
05/07/2001	35	STIPULATION by pltf. of dismissal without prejudice with each party to bear its own costs and attorneys' fees except as may be set forth in the settlement agreement between the parties (gp) (Entered: 05/10/2001)
05/14/2001		So Ordered granting [35-1] dismiss/dismissal without prejudice each each party to bear its own costs and atty.fees except as may be set forth in the settlement between the parties stipulation ( signed by Judge Gregory M. Sleet ) Notice to all parties. (gp) (Entered: 05/14/2001)
05/14/2001		Case closed (gp) (Entered: 05/14/2001)
05/15/2001	36	2nd STIPULATION of dismissal without prejudice; with each party to bear its own costs and attys.fees except as may be set forth in the settlement agreement between parties (gp) (Entered: 05/16/2001)
05/16/2001		So Ordered granting [36-1] dismiss/dismissal stipulation ( signed by Judge Gregory M. Sleet ) Notice to all parties. (gp) (Entered: 05/16/2001)
05/14/2002	37	ORDER DIRECTING RETURN of SEALED DOCUMENTS to the Parties ( signed by Judge Gregory M. Sleet ) copies to: cnsl. (gp) (Entered: 05/30/2002)
05/28/2002	38	Letter from counsel re: court's order to unseal and archive file, that there